

Interpreter Case No. 19-06057 Page of

OREGON UNIFORM CITATION AND COMPLAINT

☒ CRIMINAL ☐ MANDATORY APPEARANCE (SEE BACK) ☐ NON-TRAFFIC
☒ VIOLATION ☒ OPTIONAL APPEARANCE (SEE BACK) ☒ TRAFFIC

STATE OF OREGON ☒ Municipal - 1102 Lincoln St. ☐ Juvenile - 2727 M.L.K. Jr Blvd.
CITY OF EUGENE Eugene, OR 97401 See (Reverse Side.) Zip: 97401
COUNTY OF LANE ☒ Circuit - 125 E. 8th Ave., Eugene ☐ Other court, see below

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

NAME LAST FIRST MIDDLE
ALVAREZ James Brett

ADDRESS 30924 Kennedy Ln PHONE

CITY DAYTON STATE OR ZIP 97424

SSN OR OTHER ID 344 96 4-27 EMPLOYMENT SCHOOL

DRIVER LICENSE NO. 9085473 (30) STATE OR ☒ EMPLOYED TO DRIVE ☐ PASSENGER

DATE OF BIRTH 8-20-78 RACE W SEX M HEIGHT 5'10" WEIGHT 160 HAIR BR EYES BLU

AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY:

OFFENSE DATE MONTH DAY YEAR TIME AM PM
ON OR ABOUT: 01 15 19 12:15 PM

AT OR NEAR LOCATION: Alder St

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:

VEHICLE LICENSE NO. STATE OR DRIVER NOT ACCIDENT: ☐ PERSONAL INJURY ☐ PROPERTY DAMAGE
REG. OWNER

VEH. YR. MAKE BMW MODEL M3 STYLE 4000 COLOR BLK

PUC NO. ☐ PEDESTRIAN ☐ HAZ MAT ☐ COL. RELATED
☐ BICYCLE

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

1. VIOLATED 807.010 ☐ VIQ. BASIC RULE ☐ ALLEGED SPD ☐ ZONE/PSID SPD ☐ RADAR
(NOTE ORS/ORD. RULE) ☐ VIQ. DES SPD ☐ LIDAR ☐ PACE
CHARGE H H H H PRES. FINE/SEC. 300

2. VIOLATED 803.540 ☐ CHARGE H H H H PRES. FINE/SEC. 150

3. VIOLATED 815.222 ☐ CHARGE H H H H PRES. FINE/SEC. 300

I CERTIFY UNDER ORS 153.045, 153.990, 352.350, 352.383 AND 352.395 (5) THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

DATE ISSUED 1/15/19 OFFICER'S SIGNATURE 329 OFFICER ID 52047

NAME OF ARRESTING PERSON, IF NOT OFFICER

☒ COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO DAY YEAR TIME AM PM LOCATION (IF NOT LISTED ABOVE):

02 15 19 8:10 SE - 4th St

"NDG"

[Actual life or Bc. registration day?:]

[Evidence this is a Commerical vehicle or private property?:]

"ND"

vague [no what?:]

"ND"

"ND"

[Evidence engaging in Commerical activity?:]

"ND"

[Proof of duty?:]

"ND"

[Proof of duty?:]

"ND"

[Signature?:]

[no acceptance autograph for contract:]

[want of autograph:]

[see attached definitions and rules:]

: James Brant Alvarez:
 : copy-right/copy-claim:
 : # - February - 2019 :

READ CAREFULLY.

DO NOT APPEAR at the court on the day and time listed on the front of this notice.

OPTION 1 Enter a plea of no contest and pay the amount of the presumptive fine written on the right of this notice. If you do not pay your plea, the court may impose a fine that is more than the amount of the presumptive fine.

OPTION 2 Enter a plea of no contest and send a letter of explanation. You must do so at the court before the day and time this notice requires you to appear in court. If you do not appear, the court may impose a fine that is more than the amount of the presumptive fine.

OPTION 3 Enter a plea of not guilty, and request a trial by doing one of the following:

- Go to the court on or before the day and time written on the front of this notice to plead not guilty and request a trial.
- Submit a written request for a trial by doing one of the following before the day and time this notice requires you to appear in court. If you do not do this, the mail must arrive at the court before you are required to appear.
 - Sign date here: _____ (signature) _____ (date); AND
 - Send or take to the court this petition by itself or with a written request for a trial.

IMPORTANT: You have a right to a trial. The court will give you notice of the time and place when you MUST appear in person and may impose penalties if you do not appear. The court may require you to deposit money to assure your appearance. If you failed to appear on any offense charges in the past, the court finds at trial that you are guilty, the court cannot impose a fine that is less than the maximum fine amount. The court will not impose a fine if it finds you not guilty.

OPTION 4 Contact the court before the day and time this summons requires you to appear to determine if you qualify for a trial by affidavit. If so, the trial will be based upon sworn, written statements. Future court appearances may not be necessary. If you do not qualify or the court does not offer one, you must comply with one of the other options listed above.

NOTICE

- IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST and/or may suspend your license if you fail to appear on a citation for a traffic offense.
- THE COURT MAY SEND YOU A NOTICE AND REQUIRE YOU TO APPEAR AT THE COURT FOR A HEARING.
- For traffic offenses, this record will be sent to the licensing authority of the state where you are licensed to drive to decide if a license suspension is appropriate.
- For violations, you must notify the court and the prosecuting attorney's office before you are required to appear in court if you are going to have an attorney represent you.
- For violations, if you do not pay the full presumptive fine amount in advance and do not appear, the court may enter a conviction and a judgment against you for more than the presumptive fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, restitution, and other costs.

VIOLATIONS BUREAU

ND You may be eligible for use of the Violations Bureau offered by Eugene Municipal Court. Please contact the court at (541) 682-5400 to see if you may be eligible.

NOTICE ND

- IN ANY CASE, THE COURT, AFTER NOTICE, MAY REQUIRE YOU TO APPEAR FOR A HEARING.
- If charged with a violation and you are going to have an attorney represent you, you must notify the court in advance.

JUVENILES - CITED INTO JUVENILE COURT ONLY

The court will review the police report and contact you for an interview regarding the charge. You and your parents are required to make yourselves available for interview at the time set by the court. You need not contact the court. You will be notified by the court of the date and time set for the interview.

[See driving definitions]

[: Stop and correct :]

[: Private :] - [: Evidence :]

[: For the voidance of perjury :]

[: Use the C.-C.-S.-S.-P.-S.-G.-P. :]

[: Source ? :]

Parent : Alvarez
copy made / copy claim
4 - February - 2019

Interpreter Case No. 19-0057 Page of

OREGON UNIFORM CITATION AND COMPLAINT

☒ CRIMINAL VIOLATION ☐ MANDATORY APPEARANCE (SEE BACK.) ☐ NON-TRAFFIC TRAFFIC

STATE OF OREGON ☒ Municipal - 1102 Lincoln St Eugene, OR 97401 ☐ Juvenile - 2727 M.L.K. Jr Blvd. See (Reverse Side.) Zip: 97401
CITY OF EUGENE Eugene, OR 97401
COUNTY OF LANE ☒ Circuit - 125 E. 8th Ave., Eugene ☐ Other court, see below

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

NAME: LAST ALVAREZ FIRST James MIDDLE Brian
ADDRESS 30924 KENNY LN PHONE 503 924 9100
CITY EUGENE STATE OR ZIP 97401
SSN OR OTHER ID 504 90 4124 EMPLOYMENT/SCHOOL CR
DRIVER LICENSE NO. 4054373 STATE OR
DATE OF BIRTH 8-24-78 RACE W SEX M HEIGHT 5'11" WEIGHT 165 HAIR BLK EYES BLU
AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY:
OFFENSE DATE MONTH DAY YEAR TIME ☐ AM ☐ PM
ON OR ABOUT: 01 15 19 12:01
AT OR NEAR LOCATION: 1117 AVE / ALVAREZ ST

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:

VEHICLE LICENSE NO. None STATE OR DRIVER NOT REG. OWNER ☐ ACCIDENT: ☐ PERSONAL INJURY ☐ PROPERTY DAMAGE
VEH. YRL MAKE BMW MODEL M3 STYLE 4DRSD COLOR BLK
PUC NO. 17 ☐ PEDESTRIAN ☐ HAZ MAT ☐ CDL RELATED ☐ BICYCLE

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

1. VIOLATED 806.012 ☐ VIO. BASIC RULE ☐ VIO. DES SPD ☐ VIO. PSTD SPD ☐ BACKR ☐ ADAR ☐ PACE
CHARGE For 1st time PRES. FINE/SEC. 300

2. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.
3. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.

I CERTIFY UNDER ORS 153.045, 153.990, 352.350, 352.383 AND 352.385 (S) THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

DATE ISSUED 1/15/19 OFFICER'S SIGNATURE [Signature] OFFICER ID 58892

NAME OF ARRESTING PERSON, IF NOT OFFICER ☐ COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO DAY YEAR TIME ☐ AM ☐ PM LOCATION (IF NOT LISTED ABOVE):
02 15 19 09:30 SC - 0200

SUMMONS

UOP116189

ENTERED

CHG# 1

CHG# 2

"NDG"

[: Actual life or B.C. registration day ? :]

[: Evidence of commercial vehicle, or private property :]

"ND"

[: Proof of duty ? :]

"ND"

[: Signature ? :]
[: no acceptance autograph for contract :]
[: want autograph :]

[: See attached definitions and rules :]

: James - ~~Parent~~: Alvarez:
 : copy - ~~mail~~ / copy - claim:
 : 4 - February - 2019:

READ CAREFULLY

"ND" A **CITIZEN YOU MUST APPEAR** in the court on the date and time written on this summons.

VIOLATION [Extortion?:]

OPTION 1	Enter a plea of no contest and pay the court the amount of the presumptive fine shown on the front of this summons. If the court finds you guilty, the court may impose a fine that is more than the amount of the presumptive fine.
OPTION 2	Enter a plea of no contest and sign a letter of explanation . You must do all of the following before the day and time this summons requires you to appear in court. If you request to remain in the county jail, you must appear in court on the date and time specified.
Sign date here: _____ (signature) _____ (date) AND 2. Send to the court this summons and the full amount of the presumptive fine AND 3. Attach a written statement explaining the circumstances of the violation or charged.	
IMPORTANT: If you choose the option, you will receive a written explanation and waive your right to a trial. The court may consider your written statement in setting the amount of the fine. The court cannot impose a fine that is less than the minimum fine shown on the summons. If the court finds you guilty, the court may keep all or part of the money you pay. The court will not give the money back if you do not come to the court for a hearing.	
OPTION 3	Enter a plea of not guilty and request a trial by jury, sign a letter of explanation .
1. Go to the court on or before the day and time written on the front of this summons to plead not guilty and request a trial. B. Submit a written request for a trial by jury on or before the following date and time this option requires you to appear in court. If you request by mail, the mail must arrive at the court before you are required to appear. 1. Sign date here: _____ (signature) _____ (date) AND 2. Send or take to the court this summons by hand or with a written request for a trial.	
IMPORTANT: You have a right to a trial. The court will give you notice of the time and place when you must appear in person and may impose penalties if you do not appear. The court may require you to deposit money to secure your appearance if you failed to appear on any other charges in the past. If the court finds you not guilty, the court cannot impose a fine that is less than the minimum fine amount. The court will not impose a fine if it finds you not guilty.	
OPTION 4	Contact the court before the day and time this summons requires you to appear to determine if you qualify for a trial by affidavit. If so, the trial will be based upon sworn, written statements. Future court appearances may not be necessary. If you do not qualify or the court does not offer this option, you must comply with one of the other options listed above.

NOTICE

- IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST AND/OR may suspend your license if you fail to appear on a citation for a traffic offense.
- THE COURT MAY SEND YOU A NOTICE AND REQUIRE YOU TO APPEAR AT THE COURT FOR A HEARING.
- For traffic offenses, this record will be sent to the licensing authority of the state where you are licensed to drive to decide if a license suspension is appropriate.
- For violations, you must notify the court and the prosecuting attorney's office before you are required to appear in court if you are going to have an attorney represent you.
- For violations, if you do not pay the full presumptive fine amount in advance and do not appear, the court may enter a conviction and a judgment against you for more than the presumptive fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, restitution, and other costs.

VIOLATIONS BUREAU

You may be eligible for use of the Violations Bureau offered by Eugene Municipal Court. Please contact the court at (541) 682-5400 to see if you may be eligible.

NOTICE

- IN ANY CASE, THE COURT, AFTER NOTICE, MAY REQUIRE YOU TO APPEAR FOR A HEARING.
- If charged with a violation and you are going to have an attorney represent you, you must notify the court in advance.

JUVENILES - CITED INTO JUVENILE COURT ONLY

The court will review the police report and contact you for an interview regarding the charge. You and your parents are required to make yourselves available for interview at the time set by the court. You need not contact the court. You will be notified by the court of the date and time for the interview.

[Driving Definitions?]

[: Stop and correct :]

[: Private :] - [: Evidence :]

[: For the avoidance of perjury :]

Handwritten notes:
: Avez?
: copy-right copy-claim
: 4-February 2019

UOP114081

[: Source? :]

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OREGON UNIFORM CITATION AND COMPLAINT

<input type="checkbox"/> CRIMINAL VIOLATION	<input type="checkbox"/> MANDATORY APPEARANCE (SEE BACK.)	<input type="checkbox"/> NON-TRAFFIC
<input checked="" type="checkbox"/> VIOLATION	<input checked="" type="checkbox"/> OPTIONAL APPEARANCE (SEE BACK.)	<input checked="" type="checkbox"/> TRAFFIC

STATE OF OREGON ☒ Municipal - 1102 Lincoln St. Eugene, OR 97401 ☐ Juvenile - 2727 M.L.K. Jr Blvd. See (Reverse Side.) Zip: 97401

CITY OF EUGENE ☐ Circuit - 125 E. 8th Ave., Eugene ☐ Other court, see below

COUNTY OF LANE

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

NAME: LAST ALVA FIRST Z MIDDLE

ADDRESS 341-100 K PHONE

CITY EUGENE STATE OR ZIP 97401

SSN OR OTHER ID 544 96 412 7 EMPLOYMENT/SCHOOL

DRIVER LICENSE NO. 495 54 73 STATE OR ☐ EMPLOYED TO DRIVE ☐ PASSENGER

DATE OF BIRTH 06-24-78 RACE W SEX M HEIGHT 5'11" WEIGHT 165 HAIR BLK EYES BLU

AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY:

OFFENSE DATE MONTH 11 DAY 15 YEAR 2019 TIME 1:15 ☐ AM ☒ PM

ON OR ABOUT: 11/15/19

AT OR NEAR LOCATION: 11th & Miller St

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:

VEHICLE LICENSE NO. N 2 OK STATE OR ☐ DRIVER NOT REG. OWNER ☐ ACCIDENT: ☐ PERSONAL INJURY ☐ PROPERTY DAMAGE

VEH. YR. 17 MAKE BMW MODEL M3 STYLE 4DR COLOR BLK

PUC NO. ☐ PEDESTRIAN ☐ HAZ MAT ☐ BICYCLE ☐ CDL RELATED

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

1. VIOLATED (CITE ORS/ORD. RULE) 807.010 CHARGE VEHICLE NOT PROPERLY EQUIPPED PRES. FINE/SEC. 300

2. VIOLATED (CITE ORS/ORD. RULE) 803.500 CHARGE VEHICLE NOT PROPERLY EQUIPPED PRES. FINE/SEC. 150

3. VIOLATED (CITE ORS/ORD. RULE) 803.500 CHARGE VEHICLE NOT PROPERLY EQUIPPED PRES. FINE/SEC. 300

I CERTIFY UNDER ORS 153.045, 153.990, 352.380, 352.383 AND 352.385 (5) THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

DATE ISSUED 11/15/19 OFFICER'S SIGNATURE [Signature] OFFICER ID 320158212

NAME OF ARRESTING PERSON, IF NOT OFFICER ☐ COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO	DAY	YEAR	TIME	LOCATION (IF NOT LISTED ABOVE):
<u>02</u>	<u>06</u>	<u>19</u>	<u>8:30</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<u>See above</u>

"NDG"

[: Actual life or B.C. registration day? :]

[: Evidence this is a Commerical vehicle? :]

"ND"

"ND"

"ND"

[: Proof of contract? :]

[: Proof of duty? :]

[: Evidence of contract? :]

[: Signature? :]

[: no acceptance autograph for contract :]

[: want autograph :]

[: See attached definitions and rules :]

: James-Brent: Alvarez:
 : copy-right/copy-claim:
 : 4th February - 2019:

"ND"

A COMPLAINT ON THIS CITATION WILL BE FILED AGAINST YOU IN THE COURT INDICATED ON THE FRONT OF THIS CITATION.
READ CAREFULLY.

If the front of this citation shows you are charged with a:

A. CRIME, YOU MUST APPEAR at the court on the day and time written on the back.

B. VIOLATION, you must do one option below. [Extortion?:]

OPTION 1	Enter a plea of no contest and pay the court the amount of the presumptive fine written on the front of this citation. If the court accepts your plea, the court may not impose a fine that is more than the amount of the presumptive fine.
OPTION 2	Enter a plea of no contest and send a letter of explanation. You must do all of the following before the day and time this citation requires you to appear in court. If you respond by mail, the mail must arrive at the court before you are required to appear.

1. Sign/date here: _____ (signature) _____ (date) AND

2. Send or take to the court this citation and the full amount of the presumptive fine; AND

3. Attach a written statement explaining the circumstances of the violation(s) charged.

IMPORTANT: If you choose this option, you will make a written appearance and waive your right to a trial. The court may consider your written statement when establishing the amount of the fine. The court cannot impose a fine that is less than the minimum fine for the crime. If the court finds you guilty, the court may keep all or part of the money you pay. The court will take you into custody without giving you notice if you come to the court for a hearing.

OPTION 3	Enter a plea of not guilty and request a trial by doing one of the following:
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A. Go to the court on or before the day and time written on the front of this citation to plead not guilty and request a trial.

B. Submit a written request for a trial by doing all of the following before the day and time this citation requires you to appear in court:

1. Sign/date here: _____ (signature) _____ (date) AND

2. Send or take to the court this citation by itself or with a written request for a trial.

IMPORTANT: You have a right to a trial. The court will give you notice of the time and place when you **MUST** appear in person and may impose penalties if you do not appear. The court may require you to deposit money to assure your appearance. If you failed to appear on any offense charged in this trial, if the court finds at trial that you are guilty, the court can impose a fine that is less than the minimum fine amount. The court will not impose a fine if it finds you not guilty.

OPTION 4	Contact the court before the day and time this summons requires you to appear to determine if you qualify for a trial by affidavit. If so, the trial will be based upon sworn, written statements. Future court appearances may not be necessary. If you do not qualify or the court does not offer this option, you must comply with one of the other options listed above.
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NOTICE

1. IF YOU FAIL TO FOLLOW THE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST and/or may suspend your license if you fail to appear on a citation for a traffic offense.

2. THE COURT MAY SEND YOU A NOTICE AND REQUIRE YOU TO APPEAR AT THE COURT FOR A HEARING.

3. For traffic offenses, this report will be sent to the licensing authority of the state where you are licensed to drive to decide if a license suspension is appropriate.

4. For violations, you must notify the court and the prosecuting attorney's office before you are required to appear in court if you are going to have an attorney represent you.

5. For violations, if you do not pay the full presumptive fine amount in advance and do not appear, the court may enter a conviction and a judgment against you for more than the presumptive fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, penalties, and other costs.

VIOLATIONS BUREAU

You may be eligible for use of the Violations Bureau offense by Essex Municipal Court. Please contact the court at (541) 882-8400 to see if you may be eligible.

NOTICE

1. IN ANY CASE, THE COURT, AFTER NOTICE, MAY REQUIRE YOU TO APPEAR FOR A HEARING.

2. If charged with a violation and you are going to have an attorney represent you, you must notify the court in advance.

JUVENILES - CITED INTO JUVENILE COURT ONLY

The court will review the police report and conduct you in an interview regarding the charges. You and your parents are required to make yourselves available for interview at the time and place of the court. You need not contact the court. You will be notified by the court of the date and time to appear for the interview.

[Definitions of driving?:]

[Private:] Case 6:19-cv-01071-AA Document 1-7 Filed 07/10/19 Page 7 of 84
[: STOP AND CORRECT :]
[: For the avoidance of perjury :]
[: Use the C.-C.-S.-S.-P.-G.-P. :] [: source? :]
[: Source? :]
[: Source? :]
[: Sworn under oath with penalty for perjury? :]
[: Actual life or B.C. registration day? :]
[: Evidence of commercial vehicle, or private property? :]
[: Proof of duty? :]
[: Signature? :]
[: no acceptance autograph for contract :]
[: want autograph :]
[: see attached definitions and rules :]
pg. - 30

☐ Interpreter Case No. 19-00054 Page of

OREGON UNIFORM CITATION AND COMPLAINT

<input checked="" type="checkbox"/> CRIMINAL <input type="checkbox"/> VIOLATION	<input checked="" type="checkbox"/> MANDATORY APPEARANCE (SEE BACK.) <input type="checkbox"/> OPTIONAL APPEARANCE (SEE BACK.)	<input type="checkbox"/> NON-TRAFFIC <input checked="" type="checkbox"/> TRAFFIC
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STATE OF OREGON ☐ Municipal - 1102 Lincoln St. ☐ Juvenile - 2727 M.L.K. Jr Blvd.
CITY OF EUGENE Eugene, OR 97401 See (Reverse Side.) Zip: 97401
COUNTY OF LANE ☒ Circuit - 125 E. 8th Ave., Eugene ☐ Other court, see below

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

DEFENDANT

NAME: LAST ALVAREZ FIRST JAMES MIDDLE BIGGS
ADDRESS 309-4 K... PHONE ...
CITY ... STATE ... ZIP ...
SSN OR OTHER ID ... EMPLOYMENT/SCHOOL ...
DRIVER LICENSE NO. ... STATE ... ☐ EMPLOYED TO DRIVE
DATE OF BIRTH ... RACE ... SEX ... HEIGHT ... WEIGHT ... HAIR ... EYES ...
☐ PASSENGER
AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY:
OFFENSE DATE MONTH DAY YEAR TIME ☐ AM ☐ PM
ON OR ABOUT: ...
AT OR NEAR LOCATION: ...

VEHICLE

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:
VEHICLE LICENSE NO. ... STATE ... ☐ DRIVER NOT REG. OWNER
VEH. YR. ... MAKE ... MODEL ... STYLE ... COLOR ...
PUC NO. ... ☐ PEDESTRIAN ☐ HAZ MAT ☐ BICYCLE ☐ CDL RELATED

OFFENSE(S)

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):
1. VIOLATED ... ☐ VIO. BASIC RULE/ ALLEGED SPD ☐ ZONE/PSDT SPD ☐ RADAR ☐ LIDAR ☐ PACE
CHARGE ... PRES. FINE/SEC. ...
2. VIOLATED ... CHARGE ... PRES. FINE/SEC. ...
3. VIOLATED ... CHARGE ... PRES. FINE/SEC. ...

I CERTIFY UNDER ORS 153.045, 151.990, 332.350, 352.383 AND 352.385 (5) THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

DATE ISSUED ... OFFICER'S SIGNATURE ... OFFICER ID ...

NAME OF ARRESTING PERSON, IF NOT OFFICER ... ☐ COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO	DAY	YEAR	TIME	AM	PM	LOCATION (IF NOT LISTED ABOVE):
07	05	19	02			125 E 8th Ave

SUMMONS

ENTERED

CHG# 1

CHG# 2

CHG# 3

: James-Brent: Alvarez:
: copy-right/copy-claim:
: 4-February-2019:

"NTS"

A COMPLAINT IN THIS CITATION WILL BE FILED AGAINST YOU IN THE COURT IN CHARGE OF THE MATTER.
READ CAREFULLY.

If the front of this citation shows you are charged with a:

A. **CRIME YOU MUST APPEAR** at the court on the day and time written on this form.

B. **VIOLATION** you must go see option below.

[: extortion? :]

OPTION 1	Enter a plea of no contest and pay the court the amount of the presumptive fine written on the front of this citation. If the court accepts your plea, the court may not impose a fine that is more than the amount of the presumptive fine.
OPTION 2	Enter a plea of no contest and send a letter of explanation. You must do all of the following before the day and time this citation requires you to appear in court. If you respond by mail, the mail must arrive at the court before you are required to appear. 1. Sign/date form. (signature) (date) AND 2. Send or take to the court this citation and the full amount of the presumptive fine, AND 3. Attach a written statement explaining the circumstances of the violation(s) charged. IMPORTANT: If you choose this option, you will make a written statement and waive your right to a trial. The court may consider your written statement when establishing the amount of the fine. The court cannot impose a fine that is less than the minimum fine amount. If the court finds you guilty, the court may keep all or part of the money you pay. This court will not fine you more without giving you notice to come to the court for a hearing.
OPTION 3	Enter a plea of not guilty and request a trial by doing one of the following: A. Go to the court on or before the day and time written on the front of this citation to plead not guilty and request a trial. B. Submit a written request for a trial by doing all of the following before the day and time this citation requires you to appear in court. If you respond by mail, the mail must arrive at the court before you are required to appear. 1. Sign/date form. (signature) (date) AND 2. Send or take to the court this citation by itself or with a written request for a trial. IMPORTANT: You have a right to a trial. The court will give you notice of the time and place when you MUST appear in person and may impose penalties if you do not appear. The court may require you to deposit money to assure your appearance if you failed to appear on any offense charged in the past. If the court finds at trial that you are guilty, the court cannot impose a fine that is less than the maximum fine amount. The court will not impose a fine if it finds you not guilty.
OPTION 4	Contact the court before the day and time this summons requires you to appear to determine if you qualify for a ready affidavit. If so, the trial will be based upon sworn, written statements. Future court appearances may not be necessary. If you do not qualify or the court does not offer this option, you must comply with one of the other options listed above.

NOTICE

- IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST and/or may suspend your license if you fail to appear on a citation for a traffic offense.
- THE COURT MAY SEND YOU A NOTICE AND REQUIRE YOU TO APPEAR AT THE COURT FOR A HEARING.

[: Driving

Definitions? :]

- For traffic offenses, this record will be sent to the licensing authority of the state where you are licensed to drive to decide if a license suspension is appropriate.

- For violations, you must notify the court and the prosecuting attorney a certain time before you are required to appear in court if you are going to have an attorney represent you.

- For violations, if you do not pay the full presumptive fine amount in advance and do not appear, the court may enter a conviction and a judgment against you for more than the presumptive fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, restitution, and other costs.

VIOLATIONS BUREAU

You may be eligible for use of the Violations Bureau offices at Elgin Municipal Court. Please contact the court at (541) 682-8400 to see if you may be eligible.

NOTICE

- IN ANY CASE, THE COURT, AFTER NOTICE, MAY REQUIRE YOU TO APPEAR FOR A HEARING.
- If charged with a violation and you are going to have an attorney represent you, you must notify the court in advance.

JUVENILES - CITED INTO JUVENILE COURT ONLY

The court will review the police report and contact you for an interview. You and your parents are required to make yourselves available for the interview at the time and place the court. You would not contact the court. You will be notified by the court of the date and time to go to the interview.

4. February - 2019

DOLLAR

SNOWING

- [source? :]

[Sworn under oath with penalty of perjury?]

 ${}^uNDG^u$

[Actual life or B.C.
Registration day?]

[Evidence of commercial property or vehicle?

 $^{14}\text{ND}^{14}$

∴ Proof of curly? :

110

[Signature?]

[no acceptance autograph
for contract:]

[I want autographs:]

[See attached definitions and rules:]

: James-Brent: Alvarez:
 : copy-right/copy-claim:
 : 4-February-2019:

"ND"

COMPLETION THIS CITATION WILL BE FILED WITH THE COURT INDICATED ON THE FRONT OF THIS CITATION.
 READ CAREFULLY.

The front of this citation shows you are charged with a
 A. CRIME YOU MUST APPEAR at the court on the day and time written on the front.

B. VIOLATION you must do one option below

[extortion?]

OPTION 1	Enter a plea of no contest and pay the court the amount of the presumptive fine written on the front of this citation. If the court accepts your plea, the court may impose a fine that is more than the amount of the presumptive fine.
OPTION 2	Enter a plea of no contest and send a letter of explanation. You must do all of the following before the day and time this citation requires you to appear in court: If you respond by mail, the mail must arrive at the court before you are required to appear. 1. Sign/date here. (signature) (date) AND 2. Send or take to the court this citation and the full amount of the presumptive fine; AND 3. Attach a written statement explaining the circumstances of the violation(s) charged. IMPORTANT: If you choose this option you will make a written appearance and waive your right to a trial. The court may consider your written statement when establishing the amount of the fine. The court cannot impose a fine that is less than the minimum fine amount. If the court finds you guilty, the court may keep all or part of the money you pay. The court will not give you money without giving you notice to come to the court for a hearing.
OPTION 3	Enter a plea of not guilty and request a trial by doing any of the following: A. Go to the court on or before the day and time written on the front of this citation to plead not guilty and request a trial. B. Submit a written request for a trial, along with all of the following before the day and time this citation requires you to appear in court: If you respond by mail, the mail must arrive at the court before you are required to appear. 1. Sign/date here. (signature) (date) AND 2. Send or take to the court this citation by mail or with a written request for a trial. IMPORTANT: You have a right to a trial. The court will give you notice of the date and place when you MUST appear in person and may impose penalties if you do not appear. The court may require you to deposit money to assure your appearance. If you failed to appear on any offense charged in the past, if the court finds at trial that you are guilty, the court may impose a fine that is less than the minimum fine amount. The court will not impose a fine if it finds you not guilty.
OPTION 4	Contact the court before the day and time this citation requires you to appear to determine if you qualify for a trial by affidavit. If so, the trial will be based upon sworn, written statements. Future court appearances may not be necessary. If you do not qualify or the court does not offer this option, you must comply with one of the other options listed above.

NOTICE

1. IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST and/or may suspend your license if you fail to appear on a citation for a traffic offense.
 2. THE COURT MAY SEND YOU A NOTICE AND REQUIRE YOU TO APPEAR AT THE COURT FOR A HEARING.

3. For traffic offenses, this record will be sent to the licensing authority of the state where you are licensed to drive to decide if a license suspension is appropriate.

4. For violations, you must notify the court and the prosecuting attorney's office before you are required to appear in court if you are going to have an attorney represent you.

5. For violations, if you do not pay the full presumptive fine amount in advance and do not appear, the court may enter a conviction and a judgment against you for more than the presumptive fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, penalties, and other costs.

VIOLATIONS BUREAU

You may be eligible for use of the Violations Bureau. Please contact the court at (641) 882-5400 to see if you may be eligible.

NOTICE

1. IN ANY CASE THE COURT, AFTER NOTICE, MAY REQUIRE YOU TO APPEAR FOR A HEARING.

2. If charged with a violation and you are going to have an attorney represent you, you must notify the court in person.

JUVENILES - CITED INTO JUVENILE COURT ONLY

The court will review the juvenile report and determine if an appearance is required. You and your parents are required to make an appearance available at the court on the date and time set for the hearing. The court will not contact the court. You will be notified by the court of the date and time set for the hearing.

[Definitions of Driving?]

James-Brent: Alvarez:
: copy-right-copy-claim:
: 4 - February 2019
USA
DOLLAR

[: Syntax analysis guide to attached documents- for [co]rrection:]

: James-Brent: Alvarez.

: POSTMASTER.



:C.-S.-S.-C.-P.-S.-G.-P. FLAG OF THIS VESSEL: RA 535 207 145 US

FLAG OF THE CORRECT-SENTENCE-STRUCTURE-COMMUNICATIONS-PARSE-
SYNTAX-GRAMMAR WITH THE CONTRACTING-PERSONS OF A CONTRACTUAL-
POSTAL-COPORATION.

~RA535207145US ~Cottage Grove ~Oregon ~zip#97424

: PHONE~971-279-9755:].

: EMAIL: brentalvarez78@gmail.com

[: For the voidance of perjury, use Correct-Sentence-Structure-Communications-Parse-Syntax-
Grammar:].

- ~0 conjunction
- ~1 adverb
- ~2 verb (by modification)
- ~3 adjective
- ~4 pronoun
- ~5 (pre)position
- ~6 article
- ~7 noun
- ~8 past time
- ~9 future time

[: For the claim of use quantum languages and violations by re-spondent:].

[: Law violations are with this claim:].

[: Symbol use with the correction].

~ __ = a negative prefix (underlined section of a word) = NO = no contract.

~ ND = non-defined terms = non defined symbol = no contract.

~ NDG = a Nom De Guerre - fiction name, not correct full name, dead fiction.

~ // = B = Boxing = removed from page section = no contract.

VC = void continuum = double space/blank space area = No contract

: James-Brent: Alvarez:
! copy-right/copy-claim:
: 4 - February - 2019:

[: Law

: Title~42: USCS~1986 Knowledge and Stop-Correct-Wrongs.

~FRCP-26-E :Closure

~FRCP-9-B: Fraud by confession

~Title~18: USCS~1001 & 1002: false-statements

~Title~15: USCS~1692E Fraud & Misleading Statements

~Title~15: USCS~78 ~ ff: Penalty: \$25,000,000

~Title~42: USCS~1985-1: Conspiracy-Civil,

~Title~42: USCS~1985-2: Obstruction-evidence & Witness,

~Title~42: USCS~1985-3: Depriving Evidence & Witness,

~Title~18: USCS~1961: RICO

~Title~18: USCS~242: Coloring of the Laws = Ailing

~Title~18: USCS~241: Criminal-Conspiracy = tort

~Title~18: USCS~3: Criminal-Participation-Knowledge

~Title~42: USCS~1983: Personal Damages

~Title~18: USCS~1512: Obstruction of the Law

~Title~18: USCS~1341: Frauds and swindles

~Title~18: USCS~1342: Fictitious name or address

~Title~18: USCS~241: Conspiracy

~Title~18: USCS~242: Criminal Deprivation of Rights

~Title~28: USC~1359: Loss of Jurisdiction by Collusion

: AIDING: CORRUPTION AT THE START/BEGINNING

~JUSTICE~ JU=no, S=Speak, TI=Title, CE=Judge

: James-Brant Alvarez:
: copy-rights/copy-claim:
: 4 - february - 2019:

Some references requiring foreign agent registration and anti-bribery acts

Title 8 1481 once an oath is taken citizenship is relinquished, thus that person becomes a foreign entity, agent, agency, or state.

The means every public office is a foreign state in relation to the US citizen, includes political subdivisions, (ie; every single court and it's personnel, and any attorneys (judges included) is a separate foreign entity.

Title 22 USC Code 612 (Foreign Relations and Intercourse) Chapter 11 identifies all public officials as "foreign agents".

Title 28 USC 3002 section 15(A) states that the United States is a Federal Corporation and not a Government, including the Judiciary Procedural section.

Federal Rules of Civil Procedure (FRCP) 49(j) states: state that the court jurisdiction and immunity fall under a foreign state.

The 11th Amendment states - The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of *any Foreign State*.

Foreign registration statement 22 USC 612

18 USC section 1342 Mail Fraud, Fictitious Name etc.

: James Brent Alvarez:
: 4 - February - 2019:
: copy-right / copy - claim:



C-S-S-C-P-S-G-P. FLAG OF THIS VESSEL: RA 535 207 145 US



copy-right/copy-claim

FOR THE CLAIMANT'S-KNOWLEDGE OF THIS LIVE-LIFE IS WITH THIS CLAIM BY THIS CLAIMANT.

~1 FOR THE KNOWLEDGE OF THESE FACTS ARE WITH THE CLAIM OF THIS LIVE-LIFE-BIRTH ON THIS BIRTH-DATE OF THE TWENTIETH-DAY~THE AUGUST-MONTH~ IN THE-YEAR~1978.

~2 FOR THESE WITNESS-KNOWLEDGE OF THIS LIVE-LIFE ARE WITH THESE CLAIMS OF THIS LIVE-LIFE-BIRTH/NATIVITY IN THE CITY~COTTAGE GROVE, STATE~OREGON, -~COUNTY LANE, WITH WITNESS, WITH THE PARENT-PARTIES: MOTHER: Corrine-Alisa: Tuttle, FATHER: Dayton-Russell: Sibley~BY THEIR MARRIAGE-Joinder.

~3 FOR THE WITNESS-KNOWLEDGE OF THIS LIVE-LIFE-CLAIM ARE WITH THE CLAIM OF THIS LIVE-LIFE-BIRTH WITH AN AUTHORIZATION OF THESE (3) THREE-WITNESS-AUTOGRAPHS: :WITNESS-ONE, :WITNESS-TWO, :CLAIMANT.

~4 FOR THE WITNESS-KNOWLEDGE OF THESE FACTS ARE WITH THIS LIVE-LIFE-BIRTH-CLAIM WITH THIS CORRECT-SENTENCE-STRUCTURE-COMMUNICATION-PARSE-SYNTAX-GRAMMAR-PERFORMANCE OF THIS COMMUNICATIONS-CLAIM WITH THIS LIVE-LIFE-PARTY.

PICTURE:

FINGERPRINT(FP):

SALIVA / HAIR



Mia-Jasmine: Bond

:WITNESS/ :AUTOGRAPH/:COPYCLAIM ~For the date: JANUARY- 25 2019 FP:



Corinne-Alisa: Tuttle:

:WITNESS/ :AUTOGRAPH/:COPYCLAIM ~For the date: JANUARY- 25 2019 FP:



James-Brent: Alvarez:

~For the date: JANUARY- 25 2019 FP:
:AUTOGRAPH-CLAIMANT-LIFEBIRTH :AUTOGRAPH/:COPYCLAIM-is with the
in-cluding of this ~DATE~DAY~MONTH~YEAR by the now-time: ON-DEMAND: CLAIM.





: James + Brent: Alvarez:
: copy- right / copy- claim:
: 15 - Sept - 2019:

James Brown
Copy to get
~
of JAR

**NOTICE TO ALL LAW ENFORCEMENT OFFICERS, SUPERVISORS AND
COMMANDERS**

- 1) I hereby **invoke and refuse to waive all rights** afforded me by the United States Constitution and the Constitution of any State or territory in which any incident of law enforcement against me may occur.
- 2) I hereby invoke and refuse to waive my **5th Amendment right** to remain silent and not be a witness against myself by speech or by action.
- 3) I hereby invoke and refuse to waive my **6th Amendment right** to have assistance of counsel. Do not ask me questions without my attorney or counsel present.
- 4) I hereby invoke and refuse to waive my **4th amendment right** to be free of unwarranted (non-court-ordered) search and seizure. **Your personal suspicions** are not legal grounds for search, seizure or arrest unless supported by a court order or tangible evidence of an imminent and known crime (misdemeanor or felony) of which I am a likely perpetrator ("Probable Cause").
- 5) **I hereby deny consent** for my detention and I hereby request to be immediately released from custody, arrest and detention, free to continue my private travels and business as is my right.
- 6) Any failure or refusal by you or your associates to affirmatively, actively and expressly honor any of the above reservations of rights may be **criminal violations** and/or may cause unjust damage to me and my interests in which case, by your commission of unauthorized actions, you will and do agree to major personal debt and obligation to me for both remedy of, and penalty for, your violations and misconduct and you agree to pay all monetary claims on demand.
- 7) **If you do not release me immediately** upon reading this notice I will presume you to be under the impression that you have authority and jurisdiction for my arrest for a crime (infractions are not crimes and consent must be obtained from the accused for any detention for an alleged infraction). If it should be shown at any time that you do not have full authority, cause and jurisdiction for my arrest you will be subject to civil and criminal penalty and obligated to major remedy to me. **You agree to those terms by committing any unlawful or unauthorized force, command, detention or arrest against me.**
- 8) **If you fail to release me upon presentation of this notice** you will be required at a time in the future to show cause for any non-consensual detention (arrest). Your failure to show cause and jurisdiction upon demand will cause major debt and obligation of you to me for all damages, losses, harm, injuries and violations of rights, in addition to possible civil and criminal actions, allegations and reports **against you personally.**
- 9) Under arrest and **threat of violence** by you and your armed law enforcement associates I will, under protest, be compliant and not resist any command you may issue unless I find it necessary to act in defense of my health and safety or the health and safety of others present as is

: James Brant: Alvarez.
: copy-right/copy-claim:
: ~ 4-July-2019;

allowed by law. I am competent to determine when acts of self-defense are, and are not, necessary and justified. Unless you unjustly and/or unlawfully assault or commit battery upon me I pose no threat or danger to you or your associates.

10) **I have no intention to interfere with any law enforcement activity** or objective and I have no intention to become "belligerent" or "agitated" or to cause any difficulty or hindrance to your authorized and legally compliant law enforcement activity. I will not be "provoked" unless you are provoking me with hostile threats and actions. I am **not in protest** or opposition against your office, your profession or any of your lawful actions. I am in protest only of your violations of my rights, if there are any, and of your misconduct, if there is any.

11) Since I have and do rightfully **deny consent for detention** (above), by law you must now either release me or place me under arrest with cause, jurisdiction and proper process. In law, there is no such thing as "forced detention". Detention is voluntary, arrest is forced. I request that you, at this time, clearly state under the above invocations of rights, one of the following as you are required by law: Am I "free to go" or am I "under arrest". If you seek my lawful detention you must now declare my arrest and show cause and jurisdiction.

12) If I am under arrest I refer you to the invocations of rights above. **My cooperation and compliance may not, in any way, be interpreted as waiver of any rights at any time.** My actions, while under threat of force and violence by law enforcement are under duress and, to avoid the violent potential of your armed presence I will comply with your directives and sustain limited personal disruption in the process to hold you accountable later. In any question of my compliance and cooperation, refer to the declarations and invocations above.

13) Notice to principal is notice to agent and notice to agent is notice to principal.

PP:

Private American Citizen

: James Brent : Alvarez.
: copy-right / copy-claim?
: ~ 4 - July - 2019!

: Copy -

NO Law requires you to record / pledge your private automobile

As will be made painfully evident herewithin, a private automobile is **not required by any law, code or statute to be recorded**. Any recording (pledge) of Private automobile to any agency is strictly **voluntary**. Any recordation / contract you or a Dealership has done was a fraudulently conveyed act as the recording agency/automobile Dealer told you that you must record your Private Property. The voluntary pledge that was done without just compensation is usually done through fraud, deceit, coercion and withholding of facts, which can only be construed as fraud and unjust enrichment by agency as well as a willful malicious act to unjustly enrich the recording agency and its public servants.

If men, through fear, fraud or mistake, should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. **The right to freedom being the gift of Almighty God, it is not in the power of man to alienate this gift and voluntarily become a slave. Samuel Adams**, our great president.

"Men are endowed by their Creator with certain unalienable rights, -'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. That **property which a man has honestly acquired he retains full control of**, subject to these limitations: first, that he shall **not use it to his neighbor's injury**, and that does not mean that he must use it for his neighbor's benefit: second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, **the public may take it upon payment of due compensation.**" **Budd v. People of State of New York**, 143 U.S. 517 (1892).

There should be **no arbitrary deprivation of life or liberty, or arbitrary spoilation of property**. (Police power, Due Process) **Barber v. Connolly**, 113 U.S. 27, 31; **Yick Yo v. Hopkins**, 118 U.S. 356.

But whenever the operation and effect of any general regulation is to **extinguish or destroy that which by law of the land is the property** of any person, so far as it has that effect, it is unconstitutional and void. Thus, a **law is considered as being a deprivation of property** within the meaning of this constitutional guaranty if it **deprives an owner of one of its essential attributes, destroys its value, restricts or interrupts its common, necessary, or profitable use**, hampers the owner in the application of it to the purposes of trade, or **imposes conditions upon the right to hold or use it and thereby seriously impairs its value**. (Statute) 167 Am. Jur. 2d, Constitutional Law, Section 369.

Justice Brandeis eloquently affirmed his condemnation of abuses practiced by Government officials, who were defendants, acting as Government officials. In the case of **Olmstead vs. U.S.** 277 US 438, 48 S.Ct. 564, 575; 72 L ED 944 (1928) he declared:

"Decency, security, and liberty alike demand that Government officials shall be subjected to the same **rules of conduct that are commands to the Citizen**. In a Government of laws, existence of the Government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher.

For good or for ill, it teaches the whole people by its example. **Crime is contagious. If the Government becomes a law-breaker, it breeds contempt for law**; it invites every man to become a law unto himself. It invites anarchy. To declare that, in the administration of the law, the end justifies the means would bring a terrible retribution. Against that pernicious doctrine, this Court should resolutely set its face."

• • • • •

• • •

17. 100

2. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$

10

100

100

- : James-Brend: Alvarez.
- : copy-right / copy-claim:
- : ~ 4 - July - 2019:

The Duty of the Licensor / DMV Commissioner

The information created and surrounding the **stricti juris** doctrine regarding a particular license which may, or may not, be represented by and revealed within the contents and control of a license agreement -- "but must be revealed upon demand, and failure to do so is concealment, a withholding of material facts (the enducing, contractual consideration) known by those who have a duty and are bound to reveal." Dolcater v. Manufacturers & Traders Trust Co., D.C.N.Y., 2F.Supp. 637, 641.

Is an automobile always a vehicle (or motor vehicle)?

ARGUMENT:

Federal:

"**"Motor vehicle"** means every description of carriage or other contrivance propelled or drawn by mechanical power and **used for commercial purposes** on the highways in transportation of passengers, passengers and property, or property and cargo; ... **"Used for commercial purposes"** means the carriage of persons or property for **any fare, fee, rate, charge or other consideration**, or directly or indirectly in connection with any business, or other **undertaking intended for profit[.]**" 18 U.S.C. 31.

"A carriage is peculiarly a family or **household** article. It contributes in a large degree to the health, convenience, comfort, and welfare of the householder or of the family." Arthur v Morgan, 113 U.S. 495, 500, 5 S.Ct. 241, 243 S.D. NY 1884).

"The Supreme Court, in Arthur v. Morgan, 112 U.S. 495, 5 S.Ct. 241, 28 L.Ed. 825, held that **carriages were properly classified as household effects**, and we see no reason that automobiles should not be similarly disposed of." Hillhouse v United States, 152 F. 163, 164 (2nd Cir. 1907).

"A soldier's **personal automobile** is part of his **"household goods[.]"** U.S. v Bomar, C.A.5(Tex.), 8 F.3d 226, 235" 19A Words and Phrases - Permanent Edition (West) pocket part 94.

"[I]t is a jury question whether ... an automobile ... is a motor vehicle[.]" United States v Johnson, 718 F.2d 1317, 1324 (5th Cir. 1983).

State:

Use determines classification

"In determining whether or not a motor boat was included in the expression household effects, Matter of Winburn's Will, supra [139 Misc. 5, 247 N.Y.S. 592], stated the test to be "whether the articles are or are not used in or by the household, or for the benefit or comfort of the family"." In re Bloomingdale's Estate, 142 N.Y.S.2d 781, 785 (1955).

"The use to which an item is put, rather than its physical characteristics, determine whether it should be classified as "consumer goods" under UCC 9-109(1) or "equipment" under UCC 9-109(2)." Grimes v Massey Ferguson, Inc., 23 UCC Rep Serv 655; 355 So.2d 338 (Ala., 1978).

"Under UCC 9-109 there is a real distinction between goods purchased for personal use and those purchased for business use. The two are mutually exclusive and the **principal use to which the property**

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator, who is usually a member of the research team. The investigator will identify the problem by looking at the data and trying to find out what is going on.

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthaler and Sponholz (1980). The total chlorophyll content was determined by the method of Arar and Cook (1980). The carotenoid content was determined by the method of Lichtenthaler and Sponholz (1980). The total carotenoid content was determined by the method of Arar and Cook (1980). The total carotenoid content was determined by the method of Arar and Cook (1980).

[illegible]

1. The first step is to identify the problem. This involves understanding the situation and the goals that need to be achieved.

[illegible]

- : James-Brent: Alvarez.
- : copy-right/copy-claim:
- : ~ 4 - July - 2019:

is put should be considered as determinative." James Talcott, Inc. v Gee, 5 UCC Rep Serv 1028; 266 Cal.App.2d 384, 72 Cal.Rptr. 168 (1968).

"The classification of goods in UCC 9-109 are mutually exclusive." McFadden v Mercantile-Safe Deposit & Trust Co., 8 UCC Rep Serv 766; 260 Md 601, 273 A.2d 198 (1971).

"The classification of ``goods" under [UCC] 9-109 is a question of fact." Morgan County Feeders, Inc. v McCormick, 18 UCC Rep Serv 2d 632; 836 P.2d 1051 (Colo. App., 1992).

"The definition of ``goods" includes an automobile." Henson v Government Employees Finance & Industrial Loan Corp., 15 UCC Rep Serv 1137; 257 Ark 273, 516 S.W.2d 1 (1974).

Household goods

"The term ``household goods" ... includes everything about the house that is usually held and enjoyed therewith and that tends to the comfort and accommodation of the household. Lawwill v. Lawwill, 515 P.2d 900, 903, 21 Ariz.App. 75" 19A Words and Phrases – Permanent Edition (West) pocket part 94. Cites Mitchell's Will below.

"Bequest ... of such ``household goods and effects" ... included not only household furniture, but everything else in the house that is usually held and used by the occupants of a house to lead to the comfort and accommodation of the household. State ex rel. Mueller v Probate Court of Ramsey County, 32 N.W.2d 863, 867, 226 Minn. 346." 19A Words and Phrases - Permanent Edition (West) 514.

"All household goods owned by the user thereof and used solely for noncommercial purposes shall be exempt from taxation, and such person entitled to such exemption shall not be required to take any affirmative action to receive the benefit from such exemption." Ariz. Const. Art. 9, 2.

Automobiles classified as vehicles

""[H]ousehold goods"....did not [include] an automobile...used by the testator, who was a practicing physician, in going from his residence to his office and vice versa, and in making visits to his patients." Mathis v Causey, et al., 159 S.E. 240 (Ga. 1931).

"Debtors could not avoid lien on motor vehicle, as motor vehicles are not ``household goods" within the meaning of Bankruptcy Code lien avoidance provision. In re Martinez, Bkrtev.N.M., 22 B.R. 7, 8." 19A Words and Phrases - Permanent Edition (West) pocket part 94.

Automobiles NOT classified as vehicles

"Automobile purchased for the purpose of transporting buyer to and from his place of employment was ``consumer goods" as defined in UCC 9-109." Mallicoat v Volunteer Finance & Loan Corp., 3 UCC Rep Serv 1035; 415 S.W.2d 347 (Tenn. App., 1966).

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"The provisions of UCC 2-316 of the Maryland UCC do not apply to sales of consumer goods (a term which includes automobiles, whether new or used, that are bought primarily for personal, family, or household use)." Maryland Independent Automobile Dealers Assoc., Inc. v Administrator, Motor Vehicle Admin., 25 UCC Rep Serv 699; 394 A.2d 820, 41 Md App 7 (1978).

"An automobile was part of testatrix' ``household goods" within codicil. In re Mitchell's Will, 38 N.Y.S.2d 673, 674, 675 [1942]." 19A Words and Phrases – Permanent Edition (West) 512. Cites Arthur v Morgan, supra.

"[T]he expression ``personal effects" clearly includes an automobile[.]" In re Burnside's Will, 59 N.Y.S.2d 829, 831 (1945). Cites Hillhouse, Arthur, and Mitchell's Will, supra.

"[A] yacht and six automobiles were ``personal belongings" and ``household effects[.]"" In re Bloomingdale's Estate, 142 N.Y.S.2d 781, 782 (1955).

CONCLUSION

Is an automobile always a vehicle (or motor vehicle)? No.

This is a question of fact that **turns on the use to which the automobile in question is put** (i.e., either personal or commercial). While the presumption of an automobile being a vehicle (or motor vehicle) is created by the owner of said automobile registering same with the state as a vehicle, **this presumption may be overcome by an affirmative defense to the allegation of the automobile being a vehicle, bearing any evidence to the contrary indicating commercial use.**

Use defines Classification

Private Automobile is NOT required to be registered by Law

The **California Motor Vehicle Code, section 260**: Private cars/vans etc. not in commerce / for profit, are immune to registration fees:

- (a) A "commercial vehicle" is a vehicle of a type **REQUIRED** to be **REGISTERED** under this code".
- (b) "Passenger vehicles which are **not used** for the transportation of persons **for hire**, compensation or profit, and housecars, **are not commercial vehicles**".
- (c) "a vanpool vehicle is **not a commercial vehicle**." and;

"A vehicle not used for commercial activity is a "consumer goods", ...it is **NOT** a type of vehicle **required to be registered** and "use tax" paid of which the tab is evidence of receipt of the tax." Bank of Boston vs Jones, 4 UCC Rep. Serv. 1021, 236 A2d 484, UCC PP 9-109.14. And;

"It is held that a tax upon common carriers by motor vehicles is based upon a reasonable classification, and does not involve any unconstitutional discrimination, although it **does not apply to private vehicles**, or those used by the owner in his own business, and not for

1. *Phragmites australis* (Cav.) Trin. ex Steud.

[illegible]

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DOI: 10.1177/1056492609358111
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$$E_{\text{eff}} = \frac{\pi}{2} \left(\frac{1}{\epsilon_0} + \frac{1}{\epsilon_1} \right) \left(\frac{1}{\mu_0} + \frac{1}{\mu_1} \right)^{-1} \quad (1)$$

- : James-Brent: Alvarez.
- : copy-right/copy-claim:
- : ~ 4-July-2019:

hire.” Desser v. Wichita, (1915) 96 Kan. 820; Iowa Motor Vehicle Asso. v. Railroad Comrs., 75 A.L.R. 22.

“Thus self-driven vehicles are classified according to the use to which they are put rather than according to the means by which they are propelled.” Ex Parte Hoffert, 148 NW 20. And;

“In view of this rule a statutory provision that the supervising officials “may” exempt such persons when the transportation is not on a commercial basis means that they “must” exempt them.” State v. Johnson, 243 P. 1073; 60 C.J.S. section 94 page 581.

See New Jersey Motor Vehicle Code Chapter 3, Section 39:3-1. Certain vehicles excepted from chapter which reads: “Automobile, fire engines and such self propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business, nor for the transportation of freights, such as steam road rollers and traction engines are excepted from the provisions of this chapter.”

See Annual Report of the Attorney General of the State of New York issued on July 21, 1909, ALBANY NEW YORK, pages 322-323 which reads: “There is NO requirement that the owner of a motor vehicle shall procure a license to run the same, nor is there any requirement that any other person shall do so, unless he proposes to become a chauffeur or a person conducting an automobile as an employee for hire or wages. Yours very truly,
EDWARD R. O’MALLEY Attorney General.

See Laws of New York 1901, Chapter 53, page 1316, Section 169a.

See also Laws of Wyoming 2002, Motor Vehicle Code, page 142, Section 31-5-110. See RCW 5.24.010!

“Privately owned Buses not engaged in for hire Transportation are outside the jurisdiction of Division of Motor Vehicles enforcement of N.C. G.S. Article 17, Chapter 20****” 58 N.C.A.G. 1 (It follows that those Citizens not engaged in extraordinary use of the highway for profit or gain are likewise outside the jurisdiction of the Division of Motor Vehicles.)

“Since a sale of personal property is not required to be evidenced by any written instrument in order to be valid, it has been held in North Carolina that there may be a transfer of title to an automobile without complying with the registration statute which requires a transfer and delivery of a certificate of title.” N.C. Law Review Vol. 32 page 545, Carolina Discount Corp. v. Landis Motor Co., 190 N.C. 157.

“The following shall be exempt from the requirements of registration and the certificate of title:
1.) Any such vehicle driven or moved upon the highway in conformance with the provisions of this Article relating to manufacturers, dealers, or nonresidents.” 2.) Any such vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another.
****20-51(1)(2) (comment: not driven or moved upon the highway for transporting persons or property for profit.) (Case note to North Carolina G.S. 12-3 “Statutory Construction”)

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The California Constitution in Article I, Section 8 (and similar statements made in all other state constitutions), mandates that no one "be compelled to be a witness against himself," is in agreement with the Supreme Court ruling in Haynes v. U.S., 390 U.S. 85, 88 S.Ct. 722, wherein the ruling was that to force anyone to register anything is communicative, and such communicative evidence is precluded by the 5th Amendment.

"No State government entity has the power to allow or deny passage on the highways, byways, nor waterways... transporting his vehicles and personal property for either recreation or business, but by being subject only to local regulation i.e., safety, caution, traffic lights, speed limits, etc. Travel is not a privilege requiring, licensing, vehicle registration, or forced insurances." Chicago Coach Co. v. City of Chicago, 337 Ill. 200, 169 N.E. 22.

The fundamental Right to travel is NOT a Privilege, it's a gift granted by your Maker, and restated by our founding fathers as Unalienable and cannot be taken by any Man / Government made Law or color of law known as a private Code (secret) or a Statute, To Wit:

"As general rule men have natural right to do anything which their inclinations may suggest, if it be not evil in itself, and in no way impairs the rights of others." In Re Newman (1858), 9 C. 502.

"Traveling is passing from place to place--act of performing journey; and traveler is person who travels." In Re Archy (1858), 9 C. 47.

"Right of transit through each state, with every species of property known to constitution of United States, and recognized by that paramount law, is secured by that instrument to each citizen, and does not depend upon uncertain and changeable ground of mere comity." In Re Archy (1858), 9 C. 47.

"Traffic infractions are not a crime." People v. Battle, 50 Cal. App. 3, step 1, Super, 123 Cal. Rptr. 636, 639.

"First, it is well established law that the highways of the state are public property, and their primary and preferred use is for private purposes, and that their use for purposes of gain is special and extraordinary which, generally at least, the legislature may prohibit or condition as it sees fit." Stephenson vs. Rinford, 287 US 251; Pachard vs Banton, 264 US 140, and cases cited; Frost and F. Trucking Co. vs. Railroad Commission, 271 US 592; Railroad commission vs. Inter-City Forwarding Co., 57 SW.2d 290; Parlett Cooperative vs. Tidewater Lines, 164 A. 313.

Freedom to travel is, indeed, an important aspect of the citizen's "liberty". We are first concerned with the extent, if any, to which Congress has authorized its curtailment. (Road) Kent v. Dulles, 357 U.S. 116, 127.

The right to travel is a part of the "liberty" of which the citizen cannot be deprived without due process of law under the Fifth Amendment. So much is conceded by the solicitor general. In Anglo Saxon law that right was emerging at least as early as Magna Carta. Kent v. Dulles, 357 U.S. 116, 125.

"The use of the highway for the purpose of travel and transportation is not a mere privilege but a common and fundamental right of which the public and individuals cannot rightfully be deprived." Chicago Motor Coach v. Chicago, 337 Ill. 200, 169 NE 22, 66 ALR 834. Ligare v. Chicago, 139 Ill. 46, 28 NE

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1. 在 1997 年 12 月 31 日以前, 已在本行或本行所属的分支机构开立存款账户, 且存款余额在 100 元以上的客户;

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Figure 1. The effect of the number of iterations on the accuracy of the proposed algorithm. The accuracy of the proposed algorithm increases with the number of iterations. The accuracy of the proposed algorithm is 100% when the number of iterations is 100.

1. The following information is being furnished to you for your information and use only. It is not to be used for any other purpose without the express written consent of the Bureau of the Census. The information is being furnished to you for your information and use only. It is not to be used for any other purpose without the express written consent of the Bureau of the Census.

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934. Boone v. Clark, 214 SW 607; 25 AM JUR (1st) Highways, Sec. 163.

"The right of the citizen to travel upon the public highways and to transport his property thereon, either by a carriage or automobile, is not a mere privilege which a City may prohibit or permit at will, but a common right which he has under the right to Life, Liberty and the Pursuit of Happiness." Thompson v. Smith 154 SE 579.

"Even the legislature has no power to deny to a citizen the right to travel upon the highway and transport his property in the ordinary course of his business or pleasure, though this right may be regulated in accordance with public interest and convenience. Chicago Coach Co. v. City of Chicago, 337 Ill. 200, 169 N.E. 22, 206.

"... It is now universally recognized that the state does possess such power [to impose such burdens and limitations upon private carriers when using the public highways for the transaction of their business] with respect to common carriers using the public highways for the transaction of their business in the transportation of persons or property for hire. That rule is stated as follows by the **supreme court of the United States**: 'A citizen may have, under the fourteenth amendment, the right to travel and transport his property upon them (the public highways) by **auto vehicle**, but **he has no right to make the highways his place of business by using them as a common carrier for hire**. Such use is a privilege which may be granted or withheld by the state in its discretion, without violating either the due process clause or the equal protection clause.' (Buck v. Kuykendall, 267 U. S. 307 [38 A. L. R. 286, 69 L. Ed. 623, 45 Sup. Ct. Rep. 324].)

"The right of a citizen to travel upon the highway and transport his property thereon in the ordinary course of life and business **differs radically and obviously from that of one who makes the highway his place of business** and uses it for private gain, in the running of a stage coach or omnibus. The former is the usual and ordinary right of a citizen, a right common to all; while the latter is special, unusual and extraordinary. As to the former, the extent of legislative power is that of regulation; but as to the latter its power is broader; the right may be wholly denied, or it may be permitted to some and denied to others, because of its extraordinary nature. This distinction, elementary and fundamental in character, is recognized by all the authorities."

In Thompson v. Smith, Chief of Police. Supreme Court of Appeals of Virginia. 155 Va. 367, 154 S.E. 579, 71 A.L.R. 604. Sept. 12, 1930 it states:

Constitutional law: Citizen's right to travel upon public highways and transport his property thereon in ordinary course of life and business is common right. The right of a citizen so to do is that which he has under his right to enjoy life and liberty, to acquire property, and to pursue happiness and safety.

Automobiles, Highways: Citizen's right to travel upon public highways includes right to use usual conveyances of time, including horse-drawn carriage, or automobile, for ordinary purposes of life and business.

Injunction: Injunction lies against enforcement of **void statute or ordinance**, where **legal remedy is not as complete or adequate as injunction**, or where **threatened or attempted enforcement will do irreparable injury to person in interfering with exercise of common fundamental personal right**. By "irreparable injury" is meant an injury of such a nature that fair and reasonable redress may not be had in a court of law and that to refuse the injunction would be a denial of justice.

Constitutional Law § 101 – right to travel – 5. The nature of the Federal Union and constitutional concepts of personal liberty unite to require that all citizens be free to travel throughout the length and

breadth of the United States uninhibited by statutes, rules, or regulations which unreasonably burden or restrict this movement. 6. Although not explicitly mentioned in the Federal Constitution, the right freely to travel from one state to another is a basic right under the constitution.

Constitutional Law § 101 – law chilling assertion of rights – 7. If a law has no other purpose than to chill the assertion of constitutional rights by penalizing those who choose to exercise them, then it is patently unconstitutional. Shapiro v Thompson, 394 US 618, 22 L Ed 2d 600, 89 S Ct 1322.

So with all of that in mind, cite/deliver the cases above and **you have given the agency, etc. knowledge!**

Under USC Title 42 §1986. Action for neglect to prevent ...it states: **Every person** who, having **knowledge** that any wrongs conspired or to be done... and having power to prevent or aid in preventing ... Neglects or refuses so to do ... **shall be liable to the party injured...** and;

The means of "**knowledge**", especially where it consists of public record is deemed in law to be "**knowledge of the facts**". As the means of "knowledge" if it appears that the individual had notice or information of circumstances which would put him on inquiry, which, if followed, would lead to "knowledge", or that the facts were presumptively within his knowledge, he will have deemed to have had actual knowledge of the facts and may be subsequently liable for any damage or injury. You, therefore, have been given "knowledge of the facts" as it pertains to this conspiracy to commit a fraud against me.

I state now that I will **NOT waive any fundamental Rights** as:

"waivers of **fundamental Rights** must be knowing, intentional, and voluntary acts, done with sufficient awareness of the relevant circumstances and likely consequences. U.S. v. Brady, 397 U.S. 742 at 748 (1970); U.S.v. O'Dell, 160 F.2d 304 (6th Cir. 1947)".

And that the **agency committed fraud, deceit, coercion, willful intent to injure another, malicious acts, RICO activity and conspired by;**

Unconscionable "contract" - "*One which no sensible man not under delusion, or duress, or in distress would make, and such as no honest and fair man would accept.*"; Franklin Fire Ins. Co. v. Noll, 115 Ind. App. 289, 58 N.E.2d 947, 949, 950. and;

"Party cannot be bound by contract that he has not made or authorized." Alexander v. Bosworth (1915), 26 C.A. 589, 599, 147 P.607.

And therefore;

"**Failure to reveal the material facts of a license or any agreement is immediate grounds for estoppel.**" Lo Bue v. Porazzo, 48 Cal.App.2d 82, 119, p.2d 346, 348.

The fraudulently "**presumed**" **quasi-contractus** that binds the Declarant with the CITY/STATE agency, is void for fraud ab initio, since the de facto CITY/STATE **cannot produce the material**

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Journal of Management Education 30(6) 789-804

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1. *Phragmites* (common in the marshes of the lower Mississippi River and in the coastal marshes of the Gulf of Mexico).

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1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the root cause of the problem. Once the causes of the problem have been identified, the next step is to develop a plan to address the problem. This involves identifying the actions that need to be taken to address the problem and determining the resources that will be needed to implement the plan. Once a plan has been developed, the next step is to implement the plan. This involves taking the actions that have been identified in the plan and putting them into practice. Finally, the last step in the process is to evaluate the results of the plan. This involves determining whether the plan has been successful in addressing the problem and identifying any areas for improvement.

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fact (consideration inducement) or the jurisdictional clause (who is subject to said statute). (SEE: Master / Servant [Employee] Relationship -- C.J.S.) -- "Personal, Private, Liberty"-

Since the "consideration" is the "life blood" of any agreement or quasi-agreement, (contractus) "...the absence of such from the record is a major manifestation of want of jurisdiction, since without evidence of consideration there can be no presumption of even a quasi-contractus. Such is the importance of a "consideration." Reading R.R. Co. v. Johnson, 7 W & S (Pa.) 317

So without a Contract (no recording of the M.C.O.) or consideration there is no DMV / government etc. jurisdiction as the property does not "reside" in the colorable fictitious territory as evidenced in Supreme Court cite below:

In Wheeling Steel Corp v. Fox, 298 U.S. 193 (1936) it states: Property taxes can be on tangibles or intangibles. In order to have a situs for taxation (a basis for imposing the tax), tangible property (physical property) must reside within the territorial jurisdiction of the taxing authority, and intangibles...

Under USC Title 42 §1982. Property rights of citizens ...further evidences the above position that the City or State cannot take land because they DO NOT have Jurisdiction. It states that federal or state governments / agencies **MUST have a monetary or proprietary interest** in your real private property in order to have jurisdiction over it (if your land has no government grant/funding or is not a subsidized government project, then agencies have neither). DEMAND any public servant/said agencies to provide the legal document that allows any federal or state agency to supercede and/or bypass Title 42 USC §1982 and/or §1441. Title 42 §1983. Civil action for deprivation of rights ...further protects Declarant's private property.

The State cannot diminish rights of the people. Hurtado v. California, 110 U.S. 516.

"To say that one may not defend his own property is usurpation of power by legislature." O'Connell v. Judnich (1925), 71 C.A.386, 235 P. 664.

"A state MAY NOT impose a charge for the enjoyment of a right granted (sic) by the Federal Constitution." MURDOCK v PENNSYLVANIA, 319 US 105.

"... THE POWER TO TAX INVOLVES THE POWER TO DESTROY". McCULLOUGH v MARYLAND, 4 Wheat 316.

"All subjects over which the sovereign power of the state extends are objects of taxation, **but those over which it does not extend are exempt from taxation.** This proposition may almost be pronounced as self-evident. The sovereignty of the state extends to everything **which exists by its authority or its permission.**" McCullough v Maryland, 17 U.S. [4 Wheat] 316 (1819).

U.S. adopted Common laws of England with the Constitution. Caldwell vs. Hill, 178 SE 383 (1934).

To be that statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, **would not be the law of the land.** (Jury) Hoke v. Henderson, 15, N.C. 15 25 AM Dec 677.

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"The phrase 'common law' found in this clause, is used in contradistinction to equity, and admiralty, and maritime jurisprudence." Parsons v. Bedford, et al, 3 Pet 433, 478-9.

"If the common law can try the cause, and give full redress, that alone takes away the admiralty jurisdiction." Ramsey v. Allegrie, supra, p. 411.

Inferior Courts - The term may denote any court subordinate to the chief tribunal in the particular judicial system; but it is commonly used as the designation of a court of special, limited, or statutory jurisdiction, whose record must show the existence and attaching of jurisdiction in any given case, in order to give presumptive validity to its judgment. In re Heard's Guardianship, 174 Miss. 37, 163, So. 685.

The high Courts have further decreed, that Want of Jurisdiction makes "...all acts of judges, magistrates, U.S. Marshals, sheriffs, local police, all void and not just voidable." Nestor v. Hershey, 425 F2d 504.

Void Judgment - "One which has no legal force or effect, invalidity of which may be asserted by any person whose rights are affected at any time and at any place directly or collaterally. Reynolds v. Volunteer State Life Ins. Co., Tex.Civ.App., 80 S.W.2d 1087, 1092.

Voidable Judgment - "One apparently valid, but in truth wanting in some material respect." City of Lufkin v. McVicker, Tex.Civ.App., 510 S.W. 2d 141, 144.

Property MUST be devoted / pledged to the public with your consent and being fully compensated for such

"... In one of the so-called elevator cases, that of Munn v. Illinois, 94 U. S. 113, [24 L. Ed. 77], it is said: 'When, therefore, one *devotes his property* to a use in which the public have an interest, he in effect grants to the public an interest in that use, and must submit to be controlled by the public for the common good, to the extent of the interest he has thus created.' But so long as he uses his property for private use, and in the absence of devoting it to public use, the public has no interest therein which entitles it to a voice in its control. Other case to the same effect are Budd v. New York, 143 U. S. 517, [36 L. Ed. 247, 12 Sup. Ct. Rep. 468]; Weems Steamboat Co. v. People's Co., 214 U. S. 345, [16 Ann. Cas. 1222, 53 L. Ed. 1024, 29 Sup. Ct. Rep. 661]; Monongahela Nav. Co. v. United States, 148 U. S. 336, [37 L. Ed. 463, 13 Sup. Ct. Rep. 622]; and Del Mar Water Co. v. Eshleman, 167 Cal. 666, [140 Pac. 591, 948]. Indeed, our attention is directed to no authority in this state or elsewhere holding otherwise." Associated etc. Co. v. Railroad Commission (1917) 176 Cal. 518, 526.

"... That subjecting petitioners' property to the use of the public as common carriers constitutes a taking of the same, admits of no controversy. 'Whenever a law deprives the owner of the beneficial use and free enjoyment of his property, or imposes restraints upon such use and enjoyment that materially affect its value, without legal process or compensation, it deprives him of his property within the meaning of the constitution. ... It is not necessary, in order to render the statute obnoxious to the restraints of the constitution, that it must in terms or effect authorize the actual physical taking of the property or the thing itself, so long as it affects its free use and enjoyment, or the power of disposition at the will of the owner.' (Forster v. Scott, 136 N. Y. 577, [18 L. R. A. 543, 32 N. E. 976]; Monongahela Nav. Co. v. United States, 148 U. S. 312, 336, [37 L. Ed. 463, 13 Sup. Ct. Rep. 622]. ... Mr. Lewis in his work on Eminent

When I was a child, I was very close to my father. He was a very kind and loving man. He was always there for me, and I always felt safe with him. He was a very good father, and I am very grateful for him.

My father was a very hardworking man. He worked long hours every day, and he always made sure that we had everything we needed. He was a very responsible man, and I always looked up to him.

My father was a very kind man. He was always smiling, and he was always willing to help others. He was a very generous man, and he always made sure that everyone was taken care of. He was a very good person, and I am very proud of him.

My father was a very loving man. He always loved me very much, and he always made sure that I was happy. He was a very caring man, and I always felt loved by him.

My father was a very strong man. He was always there for me, and he always made sure that I was safe. He was a very brave man, and I always felt protected by him.

My father was a very wise man. He always gave me good advice, and he always made sure that I was doing the right thing. He was a very intelligent man, and I always learned a lot from him.

My father was a very good man. He was always there for me, and he always made sure that I was happy. He was a very kind man, and I am very grateful for him.

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Domain, third edition, section 11, says: 'A law which authorizes the taking of private property without compensation, ... cannot be considered as due process of law in a free government.' (Chicago etc. R. Co. v. Chicago, 166 U. S. 226, [41 L. Ed. 979, 17 Sup. Ct. Rep. 581].)" Associated etc. Co. v. Railroad Commission (1917) 176 Cal. 518, 528-530.

It is beyond the power of a State by legislation fiat to convert property used exclusively in the business of a private carrier, into a public utility, or to make the owner a public carrier, for that would be taking private property for public use without just compensation which no State can do consistently with the due process of law clause of the 14th Amendment. (See police power) Producers Transportation Co. v. RR Commission, 251 U.S. 228, 230; Wolff Co. v. Duke, 266 U.S. 570, 578.

The binding shackles of Government is the Constitution, to wit:

The laws of nature are the laws of God, whose authority can be superseded by no power on earth. A legislature must not obstruct our obedience to him from whose punishments they cannot protect us. All human constitutions which contradict his cannot protect us. All human constitutions which contradict his (God's) laws, we are in conscience bound to disobey. 1772, Robin v. Hardaway, 1 Jefferson 109.

If the state were to be given the power to destroy rights through taxation, then the framers of our constitutions wrote said documents in vain.

A republic is not an easy form of government to live under, and when the responsibility of citizenship is evaded, democracy decays and authoritarianism takes over. Earl Warren, "A Republic, If You Can Keep It", p 13.

It is a fundamental principle in our institutions, indispensable to the preservation of public liberty, that one of the separate departments of government shall not usurp powers committed by the Constitution to another department. Mugler v. Kansas, 123 U.S. 623, 662.

An unconstitutional law is not a law, it confers no rights, imposes no duties, and affords no protection. Norton vs. Shelby County, 118 US 425.

"Primacy of position in our state constitution is accorded the Declaration of Rights; thus emphasizing the importance of those basic and inalienable rights of personal liberty and private property which are thereby reserved and guaranteed to the people and protected from arbitrary invasion or impairment from any governmental quarter. The Declaration of Rights constitutes a limitation upon the powers of every department of the state government. State ex rel. Davis v. Stuart, 64 A.L.R. 1307, 97 Fla. 69, 120 So. 335.

"The rights of the individual are not derived from governmental agencies, either municipal, state, or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government. The people's rights are not derived from the government, but the government's authority comes from the people. The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or

James-Brent Alvarez, a resident of the United States, is the author of the copyrighted work titled "The Art of the Deal" (the "Work"). The Work is a non-fiction book that provides a detailed account of the business dealings and strategies of Donald Trump, the 45th President of the United States. The Work is a valuable and original contribution to the field of business and politics.

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municipality invade these original and permanent rights, it is the **duty of the courts** to so declare, and to **afford the necessary relief**. City of Dallas, et al. v. Mitchell, 245 S. W. 944, 945-46 (1922).

A constitution is designated as a supreme enactment, a fundamental act of legislation by the people of the state. A **constitution is legislation direct from the people acting in their sovereign capacity, while a statute is legislation from their representatives, subject to limitations prescribed by the superior authority**. Ellingham v. Dye, 178 Ind. 336; NE 1; 231 U.S. 250; 58 L. Ed. 206; 34 S. Ct. 92; Sage v. New York, 154 NY 61; 47 NE 1096.

"Owner has constitutional right to use and enjoyment of his property." Simpson v. Los Angeles (1935), 4 C.2d 60, 47 P.2d 474.

"We find it intolerable that one constitutional right should have to be surrendered in order to assert another". SIMMONS v US, supra.

"When rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." Miranda vs. Arizona, 384 US 436 p. 491.

"The claim and exercise of a Constitutional right cannot be converted into a crime." Miller v. U.S. 230 F 2d 486, 489.

History is clear that the first ten amendments to the Constitution were adopted to secure certain common law rights of the people, against invasion by the Federal Government." Bell v. Hood, 71 F.Supp., 813, 816 (1947) U.S.D.C. -- So. Dist. CA.

Economic necessity cannot justify a disregard of cardinal constitutional guarantee. Riley v. Certe, 165 Okal. 262; 25 P.2d 666; 79 ALR 1018.

When any court violates the clean and unambiguous language of the Constitution, a fraud is perpetrated and no one is bound to obey it. (See 16 Ma. Jur. 2d 177, 178) State v. Sutton, 63 Minn. 147, 65 NW 262, 30 L.R.A. 630 Am. 459.

"The 'liberty' guaranteed by the constitution must be interpreted in the light of the common law, the principles and history of which were familiar and known to the framers of the constitution. This liberty denotes the right of the individual to engage in any of the common occupations of life, to locomote, and generally enjoy those rights long recognized at common law as essential to the orderly pursuit of happiness by free men." Myer v. Nebraska, 262 U .S. 390, 399; United States v. Kim Ark, 169 U.S. 649, 654.

"An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." Norton vs. Shelby County, 118 US 425 p. 442.

"The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it.

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"No one is bound to obey an unconstitutional law and no courts are bound to enforce it." 16 Am Jur 2nd, Sec 177 late 2d, Sec 256.

All laws which are repugnant to the Constitution are null and void. Chief Justice Marshall, Marbury vs Madison, 5, U.S. (Cranch) 137, 174, 176 (1803).

It cannot be assumed that the framers of the constitution and the people who adopted it, did not intend that which is the plain import of the language used. When the language of the constitution is positive and free of all ambiguity, all courts are not at liberty, by a resort to the refinements of legal learning, to restrict its obvious meaning to avoid the hardships of particular cases. We must accept the constitution as it reads when its language is unambiguous, for it is the mandate of the sovereign power. Cook vs Iverson, 122, N.M. 251.

"**Right of protecting property**, declared inalienable by constitution, is **not mere right to protect it by individual force, but right to protect it by law of land**, and force of body politic." Billings v. Hall (1857), 7 C. 1.

"Constitution of this state declares, **among inalienable rights** of each citizen, that of **acquiring, possessing and protecting property**. This is one of primary objects of government, is guaranteed by constitution, and cannot be impaired by legislation." Billings v. Hall (1857), 7 C. 1.

State Constitution - "The state constitution is the mandate of a sovereign people to its servants and representatives. Not one of them has a right to ignore or disregard these mandates..." John F. Jelko Co. vs. Emery, 193 Wisc. 311; 214 N.W. 369, 53 A.L.R., 463; Lemon vs. Langlin, 45 Wash. 2d 82, 273 P.2d 464.

The People are the Sovereign!

People are supreme, not the state. Waring vs. the Mayor of Savannah, 60 Georgia at 93.

The **people of the State do not yield their sovereignty to the agencies which serve them**. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created. (Added Stats. 1953, c. 1588, p.3270, sec. 1.)

The **people are the recognized source of all authority**, state or municipal, and to this authority it must come at last, whether immediately or by circuitous route. Barnes v. District of Columbia, 91 U.S. 540, 545 [23: 440, 441]. p 234.

"the government is but an agency to the state," -- the state being the sovereign people. State v. Chase, 175 Minn, 259, 220 N.W. 951, 953.

Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power.

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the 1990s, the number of people in the world who are under 15 years of age has increased from 1.1 billion to 1.5 billion, and the number of people aged 65 and over has increased from 200 million to 350 million. The number of people aged 15 and over has increased from 3.5 billion to 4.5 billion. The number of people aged 15 and over has increased from 3.5 billion to 4.5 billion. The number of people aged 15 and over has increased from 3.5 billion to 4.5 billion.

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"...The Congress cannot revoke the Sovereign power of the people to override their will as thus declared." **Perry v. United States**, 294 U.S. 330, 353 (1935).

"The Doctrine of Sovereign Immunity is one of the Common-Law immunities and defenses that are available to the Sovereign..." Citizen of Minnesota. **Will v. Michigan Dept. of State Police**, (1988) 491 U.S. 58, 105 L.Ed. 2d. 45, 109 S.Ct. 2304.

"The people of the state, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the king by his own prerogative." **Lansing v. Smith**, (1829) 4 Wendell 9, (NY).

Private Corporate State / Municipality Policy Enforcement Officer a.k.a Police Officer Duties and limitations of power

"Nothing is gained in the argument by calling it 'police power.'" **Henderson v. City of New York**, 92 U.S. 259, 2771 (1875); **Nebbia v. New York**, 291 U.S. 501 (1934).

"An officer who acts in violation of the Constitution ceases to represent the government." **Brookfield Const. Co. v. Stewart**, 284 F.Supp. 94.

Failure to obey the command of a police officer constitutes a traditional form of breach of the peace. Obviously, however, one cannot be punished for failing to obey the command of an officer if that command is itself violative of the constitution. **Wright v. Georgia**, 373 U.S. 284, 291-2.

That an officer or employee of a state or one of its subdivisions is deemed to be acting under "color of law" as to those deprivations of right committed in the fulfillment of the tasks and obligations assigned to him. **Monroe v. Page**, 1961, 365 U.S. 167. (Civil law)

Actions by state officers and employees, even if unauthorized or in excess of authority, can be actions under "color of law." **Stringer v. Dilger**, 1963, Ca. 10 Colo., 313 F.2d 536. (Civil law)

"The police power of the state must be exercised in subordination to the provisions of the U.S. Constitution." **Bacahanan vs. Wanley**, 245 US 60; **Panhandle Eastern Pipeline Co. vs. State Highway Commission**, 294 US 613.

"With regard particularly to the U.S. Constitution, it is elementary that a Right secured or protected by that document **cannot be overthrown or impaired by any state police authority.**" **Donnolly vs. Union Sewer Pipe Co.**, 184 US 540; **Lafarier vs. Grand Trunk R.R. Co.**, 24 A. 848; **O'Neil vs. Providence Amusement Co.**, 108 A. 887.

When officers detained appellant for the purpose of requiring him to identify himself, they performed a seizure of his person subject to the requirements of the Fourth Amendment... The Fourth Amendment, of course, applies to all seizures of the person, including seizures that involve only a brief detention short of traditional arrest... Whenever a police officer accosts an individual and restrains his freedom to walk away, he has 'seized' that person, and the Fourth Amendment requires that the seizure be 'reasonable'.

* "But even assuming that purpose (prevention of crime) is served to some degree by stopping and

[The following text is extremely faint and largely illegible. It appears to be a multi-paragraph document, possibly a letter or a report, discussing various topics. The text is mostly obscured by noise and low contrast.]

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demanding identification from an individual without any specific basis for believing he is involved in **criminal activity**, the guarantees of the **Fourth Amendment** do not allow it."

* "The application of...(a code)...to detain appellant and require him to identify himself violated the **Fourth Amendment** because the officers lacked any reasonable suspicion to believe appellant was engaged, or had engaged, in **criminal conduct**. Accordingly, appellant may not be punished for refusing to identify himself, and the conviction is reversed." (Probable cause) **Brown v. Texas**, 443 U.S. 47, (1979)

* "Traffic infractions are not a crime." **People v. Battle**

"To this end, the **Fourth Amendment** requires that a seizure must be based on specific objective facts indicating that society's legitimate interests require the seizure of the particular individual, or that the seizure must be carried out pursuant to a plan embodying explicit, neutral limitations on the conduct of individual officers.

"The officers of the law, in the execution of process, are required to know the requirements of the law, and if they mistake them, whether through ignorance or design, and anyone is harmed by their error, they must respond in damages." **Roger v. Marshall** (United States use of Rogers v. Conklin), 1 Wall. (US) 644, 17 Led 714.

"It is a general rule that an officer, executive, administrative, quasi-judicial, ministerial, or otherwise, who acts outside the scope of his jurisdiction, and without authorization of law may thereby render himself amenable to personal liability in a civil suit." **Cooper v. O'Conner**, 69 App DC 100, 99 F (2d)

"Public officials are not immune from suit when they transcend their lawful authority by invading constitutional rights." **AFLCIO v. Woodard**, 406 F 2d 137 t.

Government / Public Servants / Officers / Judges Not Immune from suit!

"Immunity fosters neglect and breeds irresponsibility while liability promotes care and caution, which caution and care is owed by the government to its people." (Civil Rights) **Rabon vs Rowen Memorial Hospital, Inc.** 269 N.S. 1, 13, 152 SE 1 d 485, 493.

Government Immunity - "In **Land v. Dollar**, 338 US 731 (1947), the court noted, "that when the government entered into a commercial field of activity, it left immunity behind." **Brady v. Roosevelt**, 317 US 575 (1943); **FHA v. Burr**, 309 US 242 (1940); **Kiefer v. RFC**, 306 US 381 (1939).

The high Courts, through their citations of authority, have frequently declared, that "...where any state proceeds against a **private individual** in a judicial forum it is well settled that the state, county, municipality, etc. waives any immunity to counters, cross claims and complaints, by **direct or collateral means** regarding the matters involved." **Luckenback v. The Thekla**, 295 F 1020, 226 Us 328; **Lyders v. Lund**, 32 F2d 308;

1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. If there is a discrepancy, a problem is identified.

the 1990s, the number of people in the United States who are 65 years of age or older is projected to increase from 20 million to 35 million, and the number of people 75 years of age or older is projected to increase from 10 million to 15 million (U.S. Census Bureau, 1996).

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the study. The investigator must first identify the problem that is being studied. This is done by the investigator who is responsible for the study. The investigator must first identify the problem that is being studied. This is done by the investigator who is responsible for the study.

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"When enforcing mere statutes, judges of all courts do not act judicially (and thus are not protected by "qualified" or "limited immunity," - SEE: Owen v. City, 445 U.S. 662; Bothke v. Terry, 713 F.2d 1404) - - "but merely act as an extension as an agent for the involved agency -- but only in a "ministerial" and not a "discretionary capacity..." Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US 428; F.R.C. v. G.E., 281, U.S. 464.

Immunity for judges does not extend to acts which are clearly outside of their jurisdiction. Bauers v. Heisel, C.A. N.J. 1966, 361 F.2d 581, Cert. Den. 87 S.Ct. 1367, 386 U.S. 1021, 18 L.Ed. 2d 457 (see also Muller v. Wachtel, D.C.N.Y. 1972, 345 F.Supp. 160; Rhodes v. Houston, D.C. Nebr. 1962, 202 F.Supp. 624 affirmed 309 F.2d 959, Cert. den 83 St. 724, 372 U.S. 909, 9 L.Ed. 719, Cert. Den 83 S.Ct. 1282, 383 U.S. 971, 16 L.Ed. 2nd 311, Motion denied 285 F.Supp. 546).

"Judges not only can be sued over their official acts, but could be held liable for injunctive and declaratory relief and attorney's fees." Lezama v. Justice Court, A025829.

"The immunity of judges for acts within their judicial role is beyond cavil." Pierson v. Ray, 386 U.S. 547 (1957).

"There is no common law judicial immunity." Pulliam v. Allen, 104S.Ct. 1970; cited in Lezama v. Justice Court, A025829.

"Judges, members of city council, and police officers as well as other public officials, may utilize good faith defense of action for damages under 42-1983, but no public official has absolute immunity from suit under the 1871 civil rights statute." (Samuel vs University of Pittsburg, 375 F.Supp. 1119, 'see also, White vs Fleming 374 Supp. 267.)

TAKE DUE NOTICE ALL GOVERNMENT OFFICIALS, SERVANTS, JUDGES, LAWYERS, CLERKS, EMPLOYEES:

"Ignorance of the law does not excuse misconduct in anyone, least of all in a sworn officer of the law." In re McCowan (1917), 177 C. 93, 170 P. 1100.

"All are presumed to know the law." San Francisco Gas Co. v. Brickwedel (1882), 62 C. 641; Dore v. Southern Pacific Co. (1912), 163 C. 182, 124 P. 817; People v. Flanagan (1924), 65 C.A. 268, 223 P. 1014; Lincoln v. Superior Court (1928), 95 C.A. 35, 271 P. 1107; San Francisco Realty Co. v. Linnard (1929), 98 C.A. 33, 276 P. 368.

"It is one of the fundamental maxims of the common law that ignorance of the law excuses no one." Daniels v. Dean (1905), 2 C.A. 421, 84 P. 332.

Jurisdiction challenged to all, at any and all times

"Judge acted in the face of clearly valid statutes or case law expressly depriving him of (personal) jurisdiction would be liable." Dykes v. Hosemann, 743 F.2d 1488 (1984).

"In such case the judge has lost his judicial function, has become a mere private person, and is liable as a

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trespasser for damages resulting from his unauthorized acts."

"Where there is no jurisdiction there is no judge; the proceeding is as nothing. Such has been the law from the days of the Marshalsea, 10 Coke 68; also Bradley v. Fisher, 13 Wall 335,351." Manning v. Ketcham, 58 F.2d 948.

"A distinction must be here observed between excess of jurisdiction and the clear absence of all jurisdiction over the subject-matter any authority exercised is a usurped authority and for the exercise of such authority, when the **want of jurisdiction is known** to the judge, **no excuse** is permissible." Bradley v. Fisher, 13 Wall 335, 351, 352.

AT LAST

"But, in fact and in law, such **statutes** are intended to be applied to those who are **here as "residents" in this State** under the Interstate Commerce Clause of the Federal Constitution and the so- called Fourteenth Amendment." United States v United Mine Workers of America, (1947) 67 S.Ct. 677, 686, 330 U.S. 258.

Notice to all whom these presents may come:

"**I am NOT here as a resident** of any State (Nation), **nor am I "in this state"**, nor a "citizen of the United States" (in Congress assembled) as **ALL** are fictions/creations of government and therefore no statutes apply to Me as evidenced in above case. I am a Creature of Nature (the Creator) and therefore am transient by Nature traveling through Life am here *in itinere*, as a neutral, for a short time, on my way to the greater beyond, a steward of my fathers land and wishes. My documents of "*in itinere*" standing are recorded for all to see." See: Dred Scott v. Sanford, 60 US (19 How.) 393, 595 (1857) Justice Curtis, S.Ct..

Notice of Full Faith and Credit

(I, Me, Myself am a "**state**", with standing, standing in "original jurisdiction" know as the common law, Gods Law, a neutral traveling in *itinere*, *demanding all of my rights under God's Natural Law, recorded in part in the Bible, which law is recognized in US Public Law 97-280 as "the word of God and all men are admonished to learn and apply it" so I demand anyone and everyone to notice God's Laws, which are My Makers Laws and therefore My Laws!*)

– Article 1 of the Bill of Rights – guarantees freedom of religion–

Constitution for the United States of America ARTICLE IV, sect. 1, Full faith and credit among states. (Self-executing constitutional provisions) Section 1. Full faith and Credit shall be given in each state to the public Acts, Records, and judicial Proceedings of every other state.

And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Note: Emphasis added to cites, mine!

the Court's decision in *United States v. Jones*, 529 U.S. 570 (2000).

The Court in *Jones* held that the government's installation of a GPS tracking device on a vehicle without a warrant violated the Fourth Amendment. The Court reasoned that the government's conduct constituted a "search" within the meaning of the Fourth Amendment.

The Court further held that the government's conduct in *Jones* was a "search" because it involved a physical intrusion into a private area. The Court stated that the government's installation of the GPS device on the vehicle was a physical intrusion into the vehicle's interior, which is a private area.

Conclusion

In conclusion, the Court's decision in *Jones* is a landmark ruling that establishes the government's conduct in installing a GPS tracking device on a vehicle without a warrant as a "search" within the meaning of the Fourth Amendment. This decision is significant because it provides a clear rule for the government's conduct in this area.

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: James-Brent Alvarez.
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: 24 - July - 2019:

James Brent Jason Alvarez
30924 Kenady Ln
Cottage Grove, OR, by [97424]
Tele: 971-279-9755

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AUG 06 2018
CIRCUIT COURT, LANE CO.

RECEIVED

James Brent Jason Alvarez, Appears as: Sui Juris

AUG 6 2018

LANE COUNTY CIRCUIT COURT OF OREGON Lane Co. District Attorney

THE STATE OF OREGON,)	Case No.: 18VI85351
Plaintiff,)	
)	
vs.)	AFFIDAVIT OF TRUTH
)	
JAMES BRENT JASON ALVAREZ,)	
<sic> <misnomer>)	Date: 7th Day of August, 2018
Aggrieved Defendant)	
)	8:30 AM, Traffic Court

I, James Brent Jason Alvarez, hereafter referred to as the "Affiant," having firsthand knowledge of the facts stated herein, and being competent in mind and body to testify, declare and affirm that the facts stated herein are true, correct, and complete in all material fact, not misrepresented and made under the penalties of perjury of the laws of The United States of America and The State of Oregon.

1. Affiant is a living, flesh and blood sovereign man living upon the land, and a creation of the Lord God and Divine Creator of all that exists in His far flung universes of time and space, and none other.
2. Affiant is not the person, "JAMES BRENT JASON ALVAREZ", named on any papers submitted in this case and has never claimed to be "JAMES BRENT JASON ALVAREZ".
3. Affiant has never been known as "JAMES BRENT JASON ALVAREZ", a nom de guerre and misnomer.
4. Affiant is not a legal fiction, a corporate person, or a corporation.
5. Affiant does not legally represent any fictitious entity in this case.
6. Affiant is not legally responsible, or legally accountable for any fictitious entity in this case.
7. Affiant is a **state national**, in the state of Oregon, and not a U.S. Citizen under the Fourteenth Amendment of the Constitution of the United States of America.
8. [1] Affiant is the sovereign spoken of in Yick Wo v. Hopkins, 118 US 356, 370

[1] "Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but, in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts; "Yick Wo v. Hopkins, 118 US 356, 370"

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9. Affiant has ~~no contract~~ or agreement with STATE OF OREGON or any STATE OF OREGON agency or any STATE OF OREGON municipality.
10. Affiant has no contract or agreement with Lane County or any other county.
11. Affiant is not a party of the body politic or corporate.
12. Affiant was not engaged in any form of commercial activity upon the public right of ways at time of his traffic stop.
13. Affiant has not joined in the above captioned suit.

If not rebutted within 10 DAYS by lawful evidence to the contrary, this affidavit is at law evidence that the court has not joined the true party of interest and a default exists. Failure to present evidence to the contrary of the Affiants testimony, will be evidence that all parties stipulate to the facts herein as true, correct and complete.

Wherefore the court should dismiss the case sua sponte for failure to join an indispensable party as such relieves the court of jurisdiction over the parties.

Aggrieved Defendant objects to the martial law war powers summary judgment of this court and lack of due process and I reserve all my rights under the common law and do not voluntarily waive any rights.

Submitted, on this 4th day of August, 2018.

Affiant, [Signature]
James- Brent- Jason: Alvarez
All Right Reserved

WITNESS CERTIFICATION OF AFFIANT'S SIGNATURE ABOVE

We, the undersigned, witness this 4th day of August, 2018, that the one known to us to be James Brent Jason Alvarez, did personally appear before us in Lane County, State of Oregon, and upon affirmation execute and affix the above signature.

[Signature]
(Signature, Witness No. 1)

[Signature]
(Signature, Witness No. 2)

Address of Witness No. 1:
126 E. Madison Ave
Cottage Grove OR
97424

Address of Witness No 2:
1409 Clark Ave
Cottage Grove, OR 97424

I, James Brent Jason Alvarez, certify that I have served the Office of the Prosecuting Attorney a true and correct copy of this legal document on this 6th day of

: James-Brent: Alvarez.
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August, 2018, and that I also filed a copy of this legal document with the Court Clerk on the above specified date.

Submitted, on this 6th day of August, 2018

Affiant, [Signature]

James- Brent- Jason: Alvarez

All Right Reserved

FICIAL STAMP
LIZABETH HENDERIL
Y PUBLIC-OREGON
SSION NO. 952804
KPIRES AUGUST 18, 2028

: James Brent : Alvarez .
: copy-right / copy-claim :
: ~4-July-2019 :

Witnessing or Attesting a Signature

State of OREGON

County of Lane

Signed (or attested) before me on (date) August 4th, 2018

by (name(s) of individual(s)) James Brent Jason Alvarez



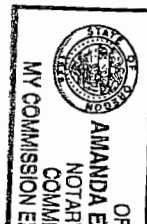
Notary Public - State of Oregon

Official Stamp



Document Description

This certificate is attached to page 3 of a Affidavit of truth (title or type of document),
dated August 4th, 2018, consisting of 3 pages.



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